

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
CHARLOTTESVILLE DIVISION

JUL 14 2009

JOHN F. CORCORAN, CLERK  
BY:  DEPUTY CLERK

UNITED STATES OF AMERICA, ) Criminal Action No. 3:04-cr-00092-3  
)  
)  
v. ) 2255 FINAL ORDER  
)  
)  
ROBERT JOSEPH MCDONALD. ) By: Hon. Norman K. Moon  
United States District Judge

In accordance with the accompanying Memorandum Opinion, it is hereby **ORDERED** and **ADJUDGED** that respondent's motion for summary judgment is **GRANTED** and the above referenced motion, pursuant to 28 U.S.C. § 2255, is hereby **DISMISSED**. This action shall be **STRICKEN** from the active docket of the court.

The Clerk is directed to send copies of this order and the accompanying memorandum opinion to petitioner and counsel of record for respondent.

ENTER: This 14<sup>th</sup> day of July, 2009.

  
NORMAN K. MOON  
UNITED STATES DISTRICT JUDGE